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TELEFAX**NOVARTIS PHARMACEUTICALS CORPORATION FAX RECEIVED**
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GROUP 1600

TO: U.S. Patent and Trademark
Office

DATE: August 12, 2002

OFFICIALTOTAL PAGES BEING SENT: 10
(including cover page)

ATTN: Ex. Patricia Morris

Fax No.: (703) 308-4556

FROM: Joseph Borovian

RE: U.S. Application No. 09/699,765
(Our Case No. 4-20918B/N1)**Match & Return**

Dear Examiner Morris,

Reference is hereby made to your "voice mail" message of August 6th wherein you indicated that you had overlooked the fact that one of the significances of the "R₃" substituent in Claims 15-17 embraced non-examined subject matter and that certain of the specific compounds in Claim 8 were outside the scope of the examined subject matter. In addition, you indicated that you would favorably consider an Amendment Under 37 CFR 1.312 which excluded non-examined subject matter from the "allowed" scopes of Claims 8 and 15-17. Accordingly, accompanying this telefax is an Amendment Under 37 CFR 1.312 wherein Claims 8 and 15-17 have been amended to exclude non-examined subject matter.

Your prompt and favorable consideration in this matter would be greatly appreciated.

Respectfully yours,


Joseph Borovian

Accomp.: as noted above